

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

MYNOR ABDIEL TUN-COS, *et al.*

Plaintiffs,

v.

B. PERROTTE, *et al.*,

Defendants.

Civil Action No. 1:17-cv-943

**DEFENDANTS' MOTION TO STRIKE THE SEVEN ADDITIONAL PLAINTIFFS AND  
THEIR CLAIMS, OR ALTERNATIVELY, TO SEVER THOSE CLAIMS**

Under Federal Rules of Civil Procedure 20(a)(1) and 21, Defendants B. Perrotte, T. Osborne, D. Hun Yim, P. Manneh, and A. Nichols<sup>1</sup> move this Court to strike from Plaintiffs Mynor Abdiel Tun-Cos and José Pajarito Saput's amended complaint the newly added Plaintiffs, who were not in the original complaint and who sue Defendants for a wholly separate alleged incident.<sup>2</sup> Alternatively, Defendants move this Court to sever the newly added Plaintiffs' claims. This motion is based on the accompanying memorandum. A proposed order is attached.

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<sup>1</sup> Department of Justice representation has not been authorized for Defendants regarding the newly pled allegations and claims. *See* 28 C.F.R. § 50.15. In order for the Department of Justice to adjudicate a request for representation, the relevant agency must forward "all available factual information," along with Defendants' requests and the agency's recommendation, to the Department. *Id.* § 50.15(a)(1). Thus, undersigned counsel represents the Defendants as to the newly pled allegations and claims solely for the purposes of filing this motion.

<sup>2</sup> Those Plaintiffs are Luis Velasquez Perdomo, Pedro Velasquez Perdomo, Germán Velasquez Perdomo, Eder Aguilar Aritas, Eduardo Montano Fernández, Nelson Callejas Peña, and José Carcámo.

DATED this 27th day of November, 2017.

Respectfully submitted,

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/s/

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## CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to:

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